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LEAD CASE - 04 Civ. 7922 (KMK) (JCF)  
DOCKET IN ALL RNC CASES

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

(ECF)

DEIRDRE MACNAMARA, et al., : 04 Civ. 9216 (KMK) (JCF)

Plaintiffs, :

- against - :

THE CITY OF NEW YORK, et al., :

Defendants. :

SARA COBURN, et al., : 05 Civ. 7623 (KMK) (JCF)

Plaintiffs, :

- against - :

THE CITY OF NEW YORK, et al., :

Defendants. :

COURTNEY LEE ADAMS, et al., : 05 Civ. 9484 (KMK) (JCF)

Plaintiffs, :

O R D E R

- against - :

THE CITY OF NEW YORK, et al., :

Defendants. :

JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

Counsel in the consolidated RNC cases having failed to cooperate in the scheduling of depositions as anticipated by Discovery Order #2, it is hereby ORDERED as follows:

1. The defense witnesses scheduled to be deposed on dates on or after June 19, 2007 as set forth in the letters of Jeffrey A. Rothman dated May 14, 2007, Michael L. Spiegel dated May 23, 2007,

and Jonathan Moore and Clare Norins dated June 7, 2007 shall appear on the dates indicated in those letters.

2. Counsel shall have until June 29, 2007 to agree on specific deposition dates for any other defense witnesses identified by then and for all plaintiffs.

3. The agreed upon dates shall not extend beyond November 16, 2007.

4. After June 29, 2007, no additional fact witnesses shall be noticed for deposition absent: (a) agreement of the parties or (b) a showing that the witness could not reasonably have been identified prior to that date.

5. On July 2, 2007, counsel for each party noticing depositions shall provide a letter to the Court listing all dates agreed upon pursuant to paragraph 2 of this order, which letters shall be "so ordered."

6. On July 2, 2007, counsel for each party noticing depositions shall also provide a separate letter identifying all witnesses for whom no date has been agreed upon. I will then schedule all such depositions. That schedule shall, by necessity, be arbitrary and inflexible.

7. Following the pretrial conference scheduled for June 29, 2007, counsel may utilize my courtroom to discuss the master deposition schedule among themselves.

8. This order applies to all RNC cases consolidated for discovery.

SO ORDERED.

James C. Francis IV  
JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
June 15, 2007

Copies mailed this date:

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